IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Original Jurisdiction
Dated: Nainital: the 24th day of June 2002
Criminal Misc. Bail application no. 393 of 2002
Order on the bail application.

Criminal side

Saurabh Sachdeva S/o Sri Kapil Dev Sachdeva, resident of k3, Shanti Vihar, Govindgarh, district Dehradun.

Applicant

Versus

State of Uttaranchal Opposite Party

Arising out of: Case crime no. 111 of 2002, u/s 364 A I.P.C. P.S. Kotwali district Dehradun.

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant and the learned A.G.A.

According to the prosecution version the accused applicant has kidnapped a minor boy for ransom and the boy was recovered from his possession. The defence disputes the claim. According to the prosecution case at the time of the recovery the accused and the boy were in the vehicle no. UP 08 4546. The query was made about the ownership of this vehicle and the time was given to the state to produce to connect the vehicle with the accused applicant. The applicant is said to have admitted that the vehicle was in his possession but the statement given to the police cannot be used against the accused applicant. So far as the recovery of mobile from the vehicle is concerned it is of significance that so called dealer of the mobile simcard Sri Harshchakarvatri was examined on 20.02.2002 during investigation. He has not maintained any regular purchase and sale record and his statement made annexure IV to the supplementary, affidavit, dated

10.6.2002 is of significance The dealer has merely maintained a rough register of sim card etc.; from the period 27.7.2000 to 19.2.2002 without any regular documents in respect of transfer of the same. The materials do no connect the mobile with the accused applicant. I am of the opinion that it is a fit case for bail.

Let the accused applicant Sauragh Sachdeva S/o Sri Kapil Dev sachdeva, resident of k3, Shanti Vihar, Govindgarh, district dehradun be released on bail in case crime no. 111 of 2002 u/s 364 A IPC P.S. Kotwali district Dehradun on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. Dehradun.

(Irshad Hussain, J.)

24.6.2002
M.P.S.